

SIDLEY

SIDLEY AUSTIN LLP
ONE SOUTH DEARBORN STREET
CHICAGO, IL 60603
+1 312 853 7000
+1 312 853 7036 FAX

AMERICA • ASIA PACIFIC • EUROPE

CKENNEY@SIDLEY.COM
+1 312 853 4166

September 30, 2020

VIA CM/ECF

Honorable Lorna G. Schofield
United States District Court
Southern District of New York
New York, New York 10007

Re: Kassman v. KPMG LLP, Civ. No. 11-cv-3743 (LGS)

Dear Judge Schofield:

The Parties have agreed to pursue mediation in an attempt to resolve all pending claims in this matter. The Parties have exchanged names of potential mediators, and are working cooperatively to reach agreement on a mediator. In addition, in response to KPMG's request made to ensure that mediation has the potential to be productive, Plaintiffs' counsel has confirmed that it has thus far received authority from each of the Named Plaintiffs and 425 of the 452 former opt-in plaintiffs who have submitted Verified Fact Sheets ("VFS Claimants") to represent them in settlement negotiations. Certain additional VFS Claimants also have agreed to stipulate to the dismissal of their claims. Plaintiffs' counsel is continuing to communicate with their clients and to provide updates to KPMG.

The Parties propose that, on or before October 14, 2020, they file with the Court (1) a proposed Order staying the case pending mediation and (2) any stipulated dismissals of VFS Claimants.

Respectfully Submitted,

Kate Mueting, Counsel for Plaintiffs
Colleen M. Kenney, Counsel for KPMG

CC: All Counsel of Record, via ECF